Appln. No. 10/799,008

RECEIVED Attorney Docket No. 10541-1941 CENTRAL FAX CENTER

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II. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

Claim Rejections - 35 U.S.C. §102(e)

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. 6,792,907 to Kostun et al. (Kostun).

The examiner relies on Kostun to reject claim 1, as well as claims 3, 4, 5, 6, 7, 12, 14, and 15 noted hereafter. Applicants respectfully submit that Kostun was assigned or under the obligation to be assigned to Visteon Global Technologies, Inc., the assignee of the instant application at the time of the invention. Therefore, Kostun is unavailable to limit the patentability of claims 1, 3, 4, 5, 6, 7, 12, 14, and 15 as defined by 35 U.S.C. § 102(e) and §103(c). The assignment of Kostun is recorded at reel 013849, frame 0552 and the assignment of the instant application is recorded at reel 015080, frame 0432. For the examiner's convenience, copies of the Patent Assignment Abstract of Title for the Kostun and the present application are attached. Accordingly, applicants respectfully request withdrawal of the rejection under 35 U.S.C. §102.

Claim Rejections - 35 U.S.C. §103

Claim 3 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kostun in view of U.S. 5,475,189 to Field et al. (Field).

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Appln. No. 10/799,008

Claims 4, 5, 7, 12, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kostun in view of U.S. 4,539,947 to Sawada et al. (Sawada).

Claims 6 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kostun in view of Sawada as applied to claims 5 and 12 above, and further in view of Field.

As noted above, Kostun is unavailable to limit the patentability of the instant application under 35 U.S.C. §103(c). Further, neither Field or Sawada teach all the elements of claims 3, 4, 5, 6, 12, 14, and 15. Accordingly, applicants respectfully request withdrawal of the rejections under 35 U.S.C. §103.

Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is respectfully requested.

Respectfully submitted by,

Dated: November 16, 2006

Robert K. Fergan Reg. No.: 51,674

Attorney for Applicant(s)

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Assignments on the Web > Patent Query

Patent Assignment Abstract of Title

NOTE:Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Patent #: 6792907

Issue Dt: 09/21/2004 Application #: 10378767 Filing Dt: 03/04/200:

Publication #: US20040173175 Pub Dt: 09/09/2004

Inventors: John D. Kostun, Lakhi N. Goenka, David J. Moenssen, Christopher E. Shaw

Title: HELMHOLTZ RESONATOR

Assignment: 1

Reel/Frame: 013849/0552

Recorded: 03/04/2003

Pages: 2

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: KOSTUN, JOHN D.

Exec Dt: 02/28/2003 Exec Dt: 02/28/2003

GOENKA, LAKHI N. MOENSSEN, DAVID J.

Exec Dt: 02/28/2003

SHAW, CHRISTOPHER E.

Exec Dt: 02/28/2003

Assignee: VISTEON GLOBAL TECHNOLOGIES, INC.

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Patent Assignment Abstract of Title

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NOTE:Results display only for issued patents and published applications. For pending or abandoned applications please consult USPTO staff.

Total Assignments: 1

Patent #: NONE

Issue Dt:

Application #: 10799008 Filing Dt: 03/12/2004

Publication #: US20050199439 Pub Dt: 09/15/2005

Inventors: Lakhi N. Goenka, David J. Moenssen, John D. Kostun, Christopher E. Shaw

Title: Variable geometry resonator for acoustic control

Assignment: 1

Reel/Frame: 015080/0432

Recorded: 03/12/2004

Pages: 2

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: GOENKA, LAKHIN.

Exec Dt: 03/02/2004

MOENSSEN, DAVID J.

Exec Dt: 03/02/2004

KOSTUN, JOHN D.

Exec Dt: 03/02/2004 Exec Dt: 03/02/2004

SHAW, CHRISTOPHER E.

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